

RESOLUTION NO. 2012-60

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON  
BEACH AMENDING THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY AND THE HUNTINGTON BEACH SURF CITY  
LIFEGUARD EMPLOYEES' ASSOCIATION (SCLEA), BY ADOPTING THE  
SIDE LETTER OF AGREEMENT**

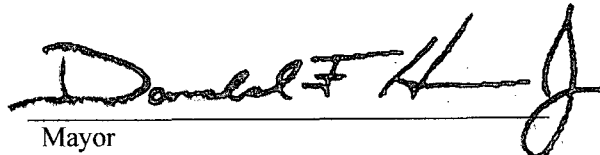
WHEREAS, on July 2, 2007, the City Council of Huntington Beach adopted Resolution No. 2007-40 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Surf City Lifeguard Employees' Association (SCLEA);

Subsequent to the adoption of the MOU, the City of Huntington Beach and SCLEA agreed to changes, corrections, and clarifications to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and SCLEA ("Side Letter of Agreement") attached hereto as **Exhibit A** and incorporated herein by this reference.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

- Section 1. The Side Letter of Agreement attached hereto as **Exhibit A** is approved and adopted.
- Section 2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and SCLEA.

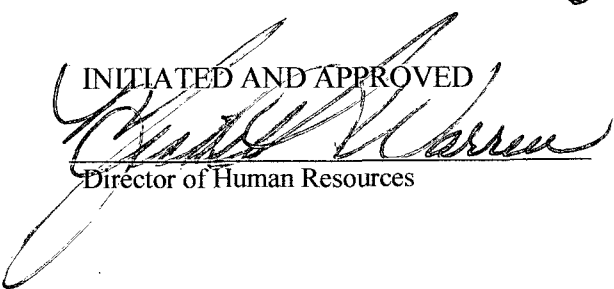
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 17th day of September, 2012.

  
Mayor

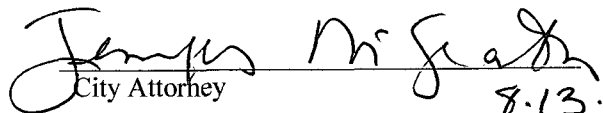
REVIEWED AND APPROVED

  
City Manager

INITIATED AND APPROVED

  
Director of Human Resources

APPROVED AS TO FORM:

  
City Attorney 8.13.12

## City of Huntington Beach SIDE LETTER AGREEMENT

Representatives of the Surf City Lifeguard Employees' Association ("SCLEA") and the City of Huntington Beach ("City") hereby agree to the following terms related to the SCLEA MOU with respect to the following:

### MOU EXTENSION

#### ARTICLE I – Term of MOU

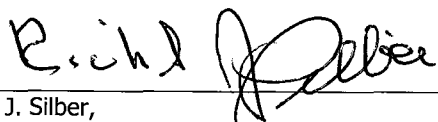
The Memorandum of Understanding (MOU) effective 01/01/07 - 09/30/08; shall be extended, without modification to any additional article or provision, from October 1, 2008, through and including midnight September 30, 2012 or until a successor agreement is reached, whichever occurs first.

#### Side-Letter Implementation

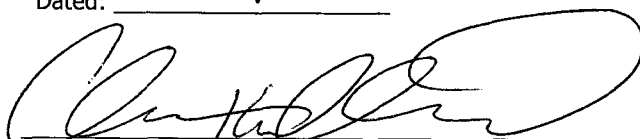
The parties agree that this side-letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor Article XIV-Miscellaneous (A) – Grievance Arbitration, or otherwise appealed either administratively or in a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on SEPTEMBER 17, 2012.


**Huntington Beach**  
**Surf City Lifeguards Employees' Association**

  
Richard J. Silber,  
SCLEA Representative

Dated: 8-7-12

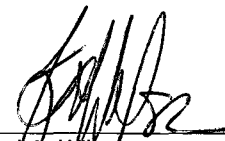
  
Chris Hubbard  
SCLEA President

Dated: 8-7-12


  
Jesse Rothman  
SCLEA Representative

Dated: 8/7/2012

**City of Huntington Beach**

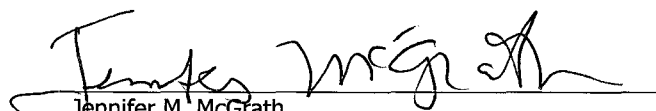
  
Fred A. Wilson  
City Manager

Dated: \_\_\_\_\_

  
Michele Warren  
Director of Human Resources

Dated: 8/7/12

**APPROVED AS TO FORM:**

  
Jennifer M. McGrath  
City Attorney  
Dated: 8.13.12

STATE OF CALIFORNIA  
COUNTY OF ORANGE                     ) ss:  
CITY OF HUNTINGTON BEACH        )

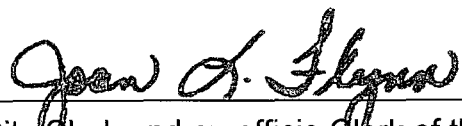
I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **September 17, 2012** by the following vote:

**AYES:** Shaw, Harper, Dwyer, Hansen, Carchio, Bohr, Boardman

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

  
\_\_\_\_\_  
City Clerk and ex-officio Clerk of the  
City Council of the City of  
Huntington Beach, California